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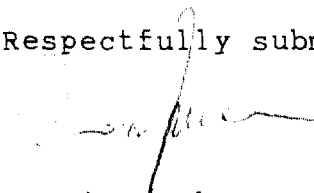
Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
Washington, DC 20554

Re: Comments in the Matter of RM-9242
Request for Rulemaking to Establish
A New, Community-Based
Low Power FM / Event Broadcast Service (LPFM)

Dear Madame Secretary:

Enclosed herewith for filing with the Commission and distribution to each Commissioner pursuant to Section 1.419 of the Commission's Rules, please find an original and ten copies of the writer's comments in the above-referenced Proceeding.

Respectfully submitted,


Dennis Jackson

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Before The
FEDERAL COMMUNICATIONS COMMISSION

Washington, DC 20554

In the Matter of Possible Establishment of a New Community-Based Low Power FM / Event Broadcast Service) Request for Rulemaking
)
) RM-9242

To: The Mass Media Bureau

COMMENTS OF DENNIS JACKSON

1. BACKGROUND

The Commission seeks comment on several proposed rulemakings seeking to create a new low power FM broadcast service. The following comments are addressed to this proceeding.

The writer is an individual owner and engineer who since 1974 has held positions as a general manager, salesman and sales manager, news and public affairs director, announcer, chief operator, and principal of the licensee of a number of commercial AM, FM and combined AM/FM stations. He has served on the Board of Directors of the Connecticut Broadcasters Association and numerous community organizations. He holds an MBA and a BS in Electrical Engineering. He has held a First Class Commercial or General Class Radiotelephone License since 1963, and his qualifications as an engineer practicing before the Commission are a matter of record.

2. PRESENT STATE OF THE COMMERCIAL RADIO BROADCAST SERVICE

Two relatively recent Commission actions, in combination with the system of market-driven capitalism that powers the U.S. economy, established the present environment within which the broadcast industry operates. First, Docket 80-90 fostered the creation of many new FM facilities just as the recession was taking hold in the late 80s and early 90s. Some of these facilities were in new markets, and some in existing markets. Second, the Telecommunications

Act of 1996 eliminated most ownership ceilings, thereby fostering rapid and wholesale consolidation of ownership.

In order that the Commission's decision-making be effective at carrying out its mission in the real world, the writer believes the Commission must avoid an inclination toward isolation in an "ivory tower." In this proceeding, the public interest will best be served by the Commission's decision-making process fully recognizing and acknowledging the real factors that will come into play in the foreseeable future as broadcast licensees determine their programming.

Former FCC Chairman Reed Hundt is reported to have stated that "the FCC's implementation of the public interest mandate in intellectually indefensible... our rules... actually require nothing of broadcasters, (in which case) they are a meaningless hoax on the American Public...."

Today, the concept of "community of license" has little significance for the vast majority of stations, except perhaps in the middle of a Sunday night when a public affairs show may be broadcast specifically to that community (even though few citizens are awake and interested at that hour) and when the station buries the name of that community next to the identity of the broader market with which it believes it must identify in order to compete effectively in that market.

Most individual licensees and nearly all group operators make their operating decisions based on a desire to maximize sales, profits, and return-on-investment, within the established rules.

If the station reaches a significant part of a market surveyed by Arbitron, then in order to maximize profitability and the value of the broadcast property they hold and in which they have significantly invested, the licensee faces compelling reasons to compete in that larger market with its program format and sales efforts. The writer suggests that the Commission recognize the fact that "first service" to a community of 800 people adjacent to a large market is by and large a "sham concept." What such a service really is, is a new facility competing in the nearby larger market. "Community of license" becomes nearly meaningless when what really matters to the licensee is population covered. Applicants and the legal community play the game based upon how the rules are written.

The same forces drive the decision making of the licensee in a town that is part of a market area that is not surveyed by Arbitron. Even in these cases, whenever possible, the station may employ the annual Arbitron "County Coverage Study" - which at best is statistically highly questionable - if it can gain a competitive selling advantage by doing so. It makes little difference which community the station is licensed to, the station will define itself in such a way as to optimize its business potential.

Docket 80-90 created the problem of too many stations competing for all to be able to operate both independently and profitably. The new allotments constituted a bonanza for the new licensees, but diluted the competitive strength of previously existing licensees. In the early 90s, it was widely reported that only a minority of all radio stations made a profit. The Telecommunications Act of 1996 solved this problem by enabling operators to bring many facilities under one roof and share staff and expenses, while gaining control of the formats of former competitors in such a way as to maximize group sales, profit, and return on investment.

This business advantage was gained at some expense to the public interest.

Let us examine the radio broadcast service to a hypothetical medium market. Many examples have been written in the trade press about how in 1978, "Market A" had four licensees who owned six stations between them. Each station enjoyed about a 10-20% share of the market, and each licensee prospered with a 20-30% share of market revenue and profit. This is a matter of record, because in 1978 these figures were reported annually to the Commission.

In 1998, there are twelve stations in this hypothetical market, plus six "rimshots." ("Rimshots" are defined as stations licensed to smaller outlying communities but with usable signals in the market.) The rimshots have carefully and strategically situated their antenna sites for the best possible coverage of the larger overall market.

80% of the stations in the market are owned by one of three groups. Though each station has no more than a 3-9% share, each group licensee has a respectable share of revenue and profit, and thereby does at least as well by today's standards as each of the four owners did in 1978.

Consider other changes that have taken place in this hypothetical market:

1. Music formats have proliferated, so the public has more choice. There are one or two stations in each of the following leading popular formats: Country, Syndicated Talk, Hot A/C, A/C, Soft A/C, Oldies, AOR, Active Rock, Urban, Hispanic, Syndicated Sports, etc. There is a heritage full-service AM, and several other struggling AMs who may be running satellite MOR, Ethnic/Foreign, or Religion or Gospel, etc. "Persons Using Radio" (i.e., listening levels) are comparable to 1978 or slightly down. Arguably, the listening public as well as local merchants and advertisers are better served by radio than in 1978 because more format choices are available, and the music formats are more clearly defined.

2. The formats are standardized based on research, and are heard in many other markets in nearly identical form. Few risks are taken to program beyond the middle of a bell-shaped curve of researched listener preferences. The term "mind candy" might apply to much of this programming. How the public loves to eat candy! In what ways is the public served, and yet dis-served, by this trend? The Commission does not take a position on broadcast content.

3. Local news has all but disappeared from most every station. Meaningful discussions of local public affairs on the radio are difficult to find. News staffs have been fired en masse.

4. Most licensees are no longer local residents. None are minority-controlled, or represent, or even consider, minority interests. Individuals representing minorities - as well as the traditional citizen-broadcaster - have either been squeezed out, or have sold out at a handsome profit. Hence, licensee sensitivity to minority and other local issues and interests (beyond format) has diminished considerably. In fact, licensee interest in anything but that which is essential to earning money has all but vanished.

This is understandable, because most licensees are now publicly held companies that hold scores of licenses in many desirable markets. Unlike the late 80s when much of the funding employed for radio acquisitions was borrowed, the funds invested in the stock issues of these corporations have enabled them to pay prices for their properties that appear quite high by historical standards. The investors, in turn, have every right to expect great results to be

reported on a quarterly basis. We're in a boom market, and many of the shareholders are baby-boomers looking toward hopefully comfortable retirement. They demand instant returns, and seem to be getting them.

5. One of our hypothetical market's leading group operators has consolidated hundreds of stations in most every major market. Hundreds of staff members have been terminated and operating expenses have been cut dramatically, all to the benefit of the bottom line and the value of the company's stock. One of this group's large stations syndicates a "shock jock" throughout the continent. The host has continually pushed on the lower limits of the standards of public taste as purveyed on radio. Conscientious voices in communities across the U.S. (and Canada) protest (at least initially, until they learn their protests will have little effect as the First Amendment is invoked as a defense) that "we have reached a new low" and the "smut" must be stopped. They can hardly believe what they hear coming out of their radios! They think, "For centuries, people of good conscience have endeavored to raise the level of individual freedom and civility in society, and now we have come to this?"

The Commission attempted to limit the stream of vulgarity and borderline obscenity that seems to titillate millions of listeners by appealing to their most base instincts every morning, but with only limited success. In the end, lawyers played the game and money won out. The groundbreaking achievements of the group's chief executive, and the financial results he achieves, are celebrated as heroic by an industry whose trade association and powerful lobbying group, the National Association of Broadcasters, named him "Broadcaster of the Year." Many others among the new breed of consolidated radio corporations follow his example.

The writer poses a hypothetical question that bears on the question of the public interest: "What's wrong with this picture?" It seems that the financial interests of radio's shareholders have largely supplanted the interests of the general public; radio listeners whose interests the Commission is responsible to ensure.

6. There are now three FM translators that cover the market fairly well. One is a satellite-fed rebroadcast of a fundamentalist religious station two thousand miles away. Another

is operated by an individual who is a friend of the owner of a “rock station” 60 miles away that he rebroadcasts. There is no identifiable business or family relationship, hence the arrangement is legal. The third rebroadcasts the heavily-shadowed signal of a rimshot, and keeps to within the primary station’s theoretical service contour, so that station appears at two places on the dial.

7. Several local maverick entrepreneurs have figured out how to put FM transmitters at “quiet spots” on the dial, and are running enough power to cover significant population. They have predictable schedules for their broadcasts, and each has attracted a following.

One features a Hispanic music format and even takes phone calls expressing opinion within the Hispanic community. Another takes a similar approach in serving a growing community of Haitian immigrants and is a galvanizing and empowering force within that community.

A third sees its mission as presenting an “alternative to the mainstream.” It offers alternative music not otherwise played on the radio, and sometimes features political and philosophical talk and call-in shows centered around various points of view that range from “alternative” to “political fringe.” Nowhere else can the public hear these points of view.

These “micro-broadcasters” operate in violation of the Commission’s Rules. However, each is sincere in its efforts to serve the needs of a previously unserved constituency. Each is respectful of its audience, whose interests it apparently assigns a higher priority than the notion of adherence to FCC rules it believes are not reasonable and only sporadically enforced.

8. The commercial operators in the market have noticed the “pirate” broadcasts, and even heard commercials for local businesses. The commercial broadcasters adhere to the rules and resent the unfair, unlicensed competition. The State Broadcast Association has officially taken a position against the “pirates.” However, the decision to do so was not reached unanimously. During the Association Board’s discussion of the issue, dissenting and sympathetic points of view were expressed by one or two board members whose interests are unaffected by the unlicensed stations. One of the dissenting voices is a committed community broadcaster of long and good standing who laments the direction she’s seen taken by “profiteers” in an industry she loves.

3. PUBLIC INTEREST BENEFITS OF A NEW LOW POWER FM BROADCAST (LPFM) SERVICE

The Commission is obliged to regulate the airwaves in the public interest, not necessarily in the best interests of the finances of its licensees. The sea-change in the radio industry in response to regulatory and marketplace forces as characterized in the preceding section have no doubt come as somewhat of a surprise. However, America is a society with many entrepreneurs and great business minds and leaders. The commercial radio industry has followed a natural course to maximize value by achieving the highest and best use of licensed facilities in aggressive, creative, and resourceful ways. It has done so while adhering to the Commission's Rules, while at the same time re-interpreting and pushing the boundaries of gray areas to favor the prosperity of business. The writer does not mean to imply a moral judgment, or claim that such behavior is necessarily "bad." "It is what it is," and represents the very type of business activity encouraged by our society. And, in fact, the results have been widely lauded in industry and financial circles.

However, the Commission must consider the ways in which industry consolidation has left the public interest behind. There are far fewer individual licensees where each creates its own approach to serving the public, than prior to 1996. Much programming has been standardized and homogenized. Minority groups, and minority points of view, are less frequently heard or represented. News broadcasts and Public Service programming have diminished.

The creation of an LPFM service, if properly framed by the Commission, could go a long way toward restoring and improving the valuable - but lost - service that radio broadcasting can provide to the general public.

An LPFM service could again encourage local owner-operators to operate stations focused on local communities and constituencies rather than broad market areas and lowest-common-denominator market segments. It could re-diversify ownership of broadcast facilities. It could realistically foster minority ownership of broadcast stations by bringing the cost of ownership within reach of smaller operators with lesser financial resources. This would enable the creation and broadcast of programming addressed to the presently unserved needs and

interests of many minority populations and constituencies. LPFM would also allow for a proliferation of differing and diverse points of view to which the general public is not presently exposed. It could foster discussion and public debate. It could even encourage live coverage of public meetings, thereby broadening public participation in the process of governance. Such programming is rarely of interest to broad-market commercial stations.

In addition, establishment of an LPFM service would eliminate any excuses for operation in violation of the Commission's Rules, bring low power FM under the regulatory umbrella, and eliminate any actual harmful interference by implementing bona fide technical standards. Reading accounts in the press, the writer suspects that public sentiment, some of which may presently favor "heroic maverick micro-broadcasters invoking their First Amendment rights and causing no real harm to anyone," would turn against lawbreakers and in favor of an agency that exhibited the vision to acknowledge the value and foster the public benefits of such service (although the writer suspects that the whole issue of LPFM and "pirate radio" is "off the radar screen" of the general public, which is not aware and does not much care.) Nevertheless, the Commission could perhaps alleviate both an enforcement problem and a possible credibility issue.

Needless to say, a legitimate LPFM service would also provide an outlet for competent broadcasters who would like to serve the public and operate within the rules, but who cannot afford full power stations at today's prices

4. INTERFERENCE CONSIDERATIONS

Established broadcast interests have lobbied against the threat of new competition by warning of the "AM-ization" of the FM band. This is a clever but specious argument, and one with little merit. AM lost audience share to FM because FM raised the bar for undistorted, interference-free stereophonic transmission, not because there are too many small signals.

Current FM receiver technology employs ceramic and crystal filters in the IF stages to establish such steep response skirts outside the desired IF passband that second and third adjacent signals are almost totally rejected outside of their own blanketing contours. The result for the

consumer is that FM receivers are so sensitive and selective that a typical car radio can follow an FM station well beyond its protected service contour, often to the point where the limiting factor becomes co-channel and first-adjacent signals that are fully spaced under the Commission's rules, rather than the diminished signal strength at the deep fringe signal area. In the absence of co-channel or first adjacent signals, an FM station is typically quite listenable on today's receivers at the 34 to 40 dBu signal level. In response to the "AM-ization" argument, it can truly be said that interference at an FM station's protected service contour boundary is almost never a problem. As a practical matter today, only the absence of adequate signal, or strong co-channel or first adjacent interference, or blanketing interference, can deter listening to a station on today's FM radio sets.

5. LPFM ESTABLISHMENT GUIDELINES

In considering the extent to which new LPFM classes of service may be feasible, the Commission must allow for adequate protection of the existing service contours of full power Class A, B and C and their subclass facilities. At the same time, if establishment of an LPFM service would indeed be in the public interest, the Commission must be equally mindful of the absence or minimal impact of interference on second and third adjacent channels under realistic standards that reflect the performance and selectivity of today's receivers rather than those of the 1950s or even the 1970s. This is important because in order to maximize the public interest benefits of a new LPFM service, the Commission should allow for as many LPFM facilities as possible.

One way to achieve maximal LPFM service would be to establish two classes of LPFM service; one modeled on FM translator service permitted under Part 74 of the Commission's Rules with certain modifications, and one based on a lesser "Class D" type facility limited to minimal power and minimal height, such as has already been proposed in various requests for the instant rulemaking proceeding.

The "Class D" type facility, authorized on a temporary or "event" basis for up to 10 days at a time (to cover two weekends), could also provide an important benefit and convenience to the

public as a medium of dissemination of information at large public events. It would serve as a “wireless public address system” to reach people in cars, aiding in traffic, parking, and crowd control. To avoid a processing burden on the Commission, this type of service could perhaps be permitted automatically, provided a letter were filed with the Commission prior to operation containing a certification and minimal exhibits by a qualified engineer showing adequate contour protection and attesting that the “event station” would not cause prohibited interference to any existing station.

Additionally, the opportunity exists in establishing an LPFM service to create an environment where the public interest is not at odds with the private financial interests of the licensee.

The Commission should consider diminishing the profit motive and station trading as a motivating factor for licensees in an LPFM service by allowing LPFM facilities to be transferred only for reimbursement of the legitimate out-of-pocket expenses of the licensee, as is presently the rule for unbuilt full power stations and construction permits. Or, profit might be limited to some nominal percentage of expenses such as 110%, 150%, or 200%. This would encourage licensees to focus on operating and programming rather than selling out for a “big profit.”

The Commission might also consider residency within a certain distance from a proposed LPFM station as a licensing requirement, and enact an ownership limit on such facilities with a limitation of a single station, or three, or some other reasonable limit, per controlling interest. Applicants with controlling interests in full power stations should be further limited. The limit should be greatest for those controlling full power stations in the same market (i.e., a limit of one LPFM to those owning a full power station with an overlapping service contour), or controlling a large number of full power stations (i.e., no LPFMs allowed if applicant is controlled by an entity that also controls more than seven full power stations anywhere.).

6. TECHNICAL STANDARDS

Part 74 of the Commission’s Rules allow for the establishment FM translators on a secondary basis and provide protection to the service contours of full power facilities. Such translators are themselves protected from interference from other translators within their own service contours.

One obvious way to create an LPFM service is to simply modify the Rules to allow local program origination on translator facilities. However, this would not suffice to create an LPFM service that would maximize service to the public because under the existing translator rules, the protection requirements to second and third adjacent full power stations would severely limit, and in many cases would altogether preclude, LPFM stations from large markets. And, indeed, such markets are the very locations where the value of LPFM service to the public would be greatest because significant minority populations are underserved or entirely unserved by existing stations.

Hence, it makes sense to loosen or eliminate protection requirements to second and third adjacent full power stations. In fact, LPFM facilities must obviously be permitted to operate inside the protected service contours of second and third adjacent full power stations in order to facilitate LPFM service where it is most needed, and where the local population would most benefit. Perhaps a modification of the present second/third adjacent protection requirements inside the full power station's service contour could be achieved by adoption of a protection ratio to second and third adjacent full power stations. (The Commission adopted a similar approach in the revision of Section 73.213 of the Rules in MM Docket 96-120.) LPFM stations in some situations could then avoid interfering with second and third adjacent full power stations in the same market by employing a half-wave spaced antenna to keep its interfering signal from reaching the ground. LPFM rules should provide for routine waiver on this basis, or on the basis that a minimal number of people reside within an area that might receive interference from a proposed new LPFM.

Here, when the interests of LPFM are in conflict with those of full power stations, the Commission should bear in mind the extent to which each type of service can meet the test of serving the public interest. In many instances, LPFM may actually come out ahead.

The limitations on power in a new LPFM service could be the same as those specified for FM translators in Section 74.1235 of the Commission's Rules. This section allows a maximum of 250 Watts at 32 meters HAAT (class contour distance of 7.5 km) east of the Mississippi, and a maximum 250 Watts at 107 meters HAAT (class contour distance of 13.8 km) west of the

Mississippi. Like FM translators, LPFM facilities could be permitted to receive interference from full power stations, but be afforded the same protection from other co-channel or first adjacent LPFM stations (but not second and third adjacents) as translators presently receive under Section 74.1204 of the Commission's Rules.

A second "Class D" type of service to allow 10 Watts at 32 meters HAAT (class contour distance of 3.4 km) would assure maximum flexibility in creating new LPFM services. While held to the same interference avoidance requirements as the higher LPFM class, Class D stations could themselves receive simplified protection. For example, no other co-channel LPFM might be allowed within a 7 km radius.

7. PRACTICAL ISSUES WITH AN LPFM SERVICE

Authorization of a new LPFM service would lead to the filing of numerous applications, all requiring review by the Commission. Here, again, the Commission might look to its experience with LPTV to anticipate the extent of the processing burden. It might also consider modification of the application form to simplify Commission review.

Initially, the Commission should open a window for the filing of LPFM applications to gauge the number of interested applicants. Later, it might adopt the same "first come, first served" approach used with AM, non-commercial FM, and FM translator and booster station applications.

The Commission should not allow "the almighty dollar" to enter the picture in settlement of mutually exclusive LPFM proposals. To do so would be inconsistent with rules intended to foster a new community-based low power FM service as a partial recovery of public interest ground lost to the financially-driven direction in which the radio broadcast industry appears to be permanently headed.

In case of mutually exclusive applications filed within the applicable cutoff period, the Commission should simply refuse to grant any of the affected applications until the applicants, among themselves, resolve the mutual exclusivity. As part of such settlements, applicants in such situations should be permitted, at their option, to waive received interference, just as grandfathered 3 kW Class A stations may do under the Rules adopted in MM Docket 88-375.

In exchange for “ease of grant,” however, the writer believes the Commission should adopt guidelines and rules to facilitate enforcement. In other words, if the Commission yields to pressure to allow small entrepreneurs to have their way and operate small stations, then there should be “zero tolerance” of illegal broadcasting activity by the Commission (i.e. Field Offices), and also by other licensed broadcasters, both full-power and LPFM. The Commission should adopt rules stating that any person found to have operated a station willfully and illegally shall be prohibited from holding any FCC license to broadcast for a period of five years. The application form should contain a statement (similar to the Anti-Drug Abuse Certification) whereby the applicant certifies under penalty of perjury that he or she will uphold the Commission’s Rules in the broadcast community, and cooperate in enforcement activities in order that legitimate and licensed broadcasters receive the protection they are entitled to under the Rules.

The writer does have concerns that an LPFM service may appeal to potential operators possessed of an “outlaw mentality.” One need only look at the recent record of “pirate radio activity” to draw this conclusion. This raises two important points. First, the Commission must be prepared to stand by its position in regard to non-regulation of program content in new and possibly more challenging circumstances.

Second, as a practical matter, how can the Commission enforce the indecency and obscenity regulations that reflect the standards of public taste (as pushed to their current limits) on hundreds or thousands of new, low power stations? Might the Commission look to some form of LPFM industry or broadcast industry self-regulation, a consensus against violators that could ease and simplify enforcement, or a kind of “FCC Small Claims Court” wherein the rules could be enforced by way of simplified justice procedure that would be less burdensome to all concerned?

Might the Commission encourage Federal, State, or local lawmakers to extend anti-defamation and public obscenity and indecency laws that apply to individuals persons, to those who broadcast on the airwaves in their communities?

If not for a few highly publicized cases among current “pirates,” these questions might not be an issue in this proceeding. Without meaning to moralize, from reading accounts in the press,

the writer observes that, ironically, when these individuals conduct broadcasts that the vast majority of the public would find disgusting and reprehensible, or when they otherwise conduct themselves in a manner that is irresponsible and disrespectful of others, some of the very people pushing hardest for the right to broadcast at low power in the FM band are acting quite selfishly. In fact, these individuals do the most damage to their ostensible cause, and their activities raise the most serious concerns about how realistic such a service ever could be among those who would be more socially responsible.

Fortunately, in the writer's awareness, many accounts of "micro-broadcasting" activity in the press tell of seemingly sincere and well-intentioned broadcasters whose offenses are limited to violations of the Commission's rules, representing an entirely different order of offense.

On the other hand, it does not seem likely that the Commission will ever be able to entirely suppress "micro-broadcasting," particularly the small handful of stations who claim a first amendment right to broadcast whatever they like, sometimes including blatant obscenity. Non-enactment of a new LPFM service will not stop such illegal broadcasts, it will only serve to prevent law-abiding potential LPFM operators from getting on the air legally to serve the public interest. Given the ultimate benefit to the general public from a legitimized LPFM service, the question arises as to whether the Commission should "throw the baby out with the bath water."

8. CONCLUSIONS

The Commission must weigh the public interest benefits of creating a new class of Community LPFM service against several opposing considerations:

1. A new processing burden. Here, the application form and grant process itself should be simplified to the greatest extent possible.
2. New and possibly difficult enforcement issues. Station and individual licensees should be enrolled to the greatest extent possible as allies or cooperating agents in enforcement, and
3. Arguments presented in defense of the financial interests of the existing radio broadcasting establishment, and the political clout and the National Association of Broadcasters as it endeavors to preclude new competition, however Lilliputian.

Given the state of receiver technology today and in the future, an LPFM service could be established with no new real-world interference to the protected contours of existing stations.

For a new LPFM service to achieve its greatest potential for serving the public interest, the Commission must facilitate the maximum number of new facilities both by realistic technical rules and ease of application and grant, while retaining high standards for LPFM transmission.

In order to avoid the capital-driven upward spiral that has fundamentally altered the nature of the present commercial radio broadcast service and created a well-trod path away from public interest and toward private profit, the Commission should enact limits on ownership, and also on the profit allowed upon sale of an LPFM station.

Establishing a new LPFM service would further many of the Commission's stated public interest goals. Such a new service would most certainly lead to considerably greater diversity of ownership, and readmit disenfranchised minorities to the ranks of broadcast ownership. It would vastly increase the diversity of programming available to the public, and increase public access to minority points of view. By this is meant both 1/ the perspectives of minority ethnic groups as cultures, and 2/ the dissemination of ideas held by a minority of individuals, irrespective of ethnicity. An LPFM service could significantly enhance public dialogue on community, regional, and national issues. It could also solve a number of growing regulatory, enforcement, and even credibility issues faced by the Commission as the agency charged with regulating the broadcast spectrum in the public interest, with that interest considered in the broadest sense.

Respectfully submitted,



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